

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA

Nos. 3:06-CR-74-1-BR
5:07-CR-3-BR

UNITED STATES OF AMERICA,

v.

HOWELL WAY WOLTZ

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ORDER

This matter is before the court on the motion of defendant's unopposed motion for special admission of out-of-state attorney Jack Fernandez and to continue the sentencing hearing. The court recognizes that counsel did not file the motion in Case No. 5:07-CR-3; however, the court presumes the motion applies equally to that case. For good cause shown, the motion is ALLOWED. Counsel is DIRECTED to immediately file a notice of appearance. The sentencing hearing is CONTINUED to 1 October 2007 at 9:00 a.m., Federal Courthouse, 310 New Bern Avenue, Courtroom 2, Raleigh, North Carolina. As previously held, the U.S. Marshal Service is AUTHORIZED to transfer defendant from the Western District of North Carolina to the Eastern District of North Carolina; upon completion of the hearing, the U.S. Marshal Service shall return defendant to the Western District of North Carolina. Defendant shall have until 14 September 2007 to file objections, if any, to the Presentence Report (PSR). In order to have a clean record with regard to the PSR, the objections made by defendant's former counsel, Tolly A. Kennon, III, are deemed WITHDRAWN.

This 15 August 2007.



W. Earl Britt
Senior U.S. District Judge